

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
In re : Chapter 11 Case No. 08-13555 (JMP)
: (Jointly Administered)
LEHMAN BROTHERS HOLDINGS, INC., *et al.*, :
: **STIPULATION**
Debtors. :
:
:
----- X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel, that:

1. Och-Ziff Capital Management Group LLC (“Och-Ziff”) will produce responsive
documents for the period beginning on March 17, 2008 and ending on September 12, 2008
(“Relevant Time Period”);

2. Och-Ziff will search for documents from equity traders, convert traders, debt
traders and portfolio finance personnel (the “Custodians”), who worked at Och-Ziff during the
Relevant Time Period;

3. Och-Ziff will produce trading records during the Relevant Time Period reflecting
trades in Lehman Securities, as defined in the April 12, 2010 Subpoena to Och-Ziff (the
“Subpoena”);

4. Lehman Brothers Holdings, Inc. *et al.* (“Lehman”) will propose, and the parties
shall negotiate in good faith, search terms tailored to obtain documents from the Custodians
concerning the financial and business condition of Lehman, as defined in the Subpoena;

5. The parties will execute and file a confidentiality agreement covering the production by Och-Ziff to be so ordered by the Court;

6. The parties agree to execute the stipulation attached as Exhibit A and file it with the Court in proper format; and

7. This stipulation may be executed in counterparts and signatures submitted via facsimile or e-mail shall be treated as originals for the purpose of this stipulation.

Dated: September 1, 2010

**KASOWITZ, BENSON, TORRES &
FRIEDMAN LLP**

BLANK ROME LLP

By: /s/ Jennifer S. Recine
Marc E. Kasowitz
Michael J. Bowe
Albert S. Mishaan
Jennifer S. Recine
1633 Broadway
New York, New York 10019
(212) 506-1700

*Attorneys for Lehman Brothers
Holdings, Inc. et al.*

By: /s/ Catherine A. Armentano
Kenneth L. Bressler
Andrew B. Eckstein
Catherine A. Armentano
The Chrysler Building
405 Lexington Avenue
New York, New York 10174
(212) 885-5000

*Attorneys for Och-Ziff Capital
Management Group LLC*

SO ORDERED,

Dated: New York, New York
September 13, 2010

s/ James M. Peck
HONORABLE JAMES M. PECK
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
In re : Chapter 11 Case No. 08-13555 (JMP)
: (Jointly Administered)
LEHMAN BROTHERS HOLDINGS, INC., *et al.*, :
: Debtors. :
: :
: :
: :
----- X

**STIPULATION CONCERNING SUBPOENA *DUCES TECUM*
ISSUED BY LEHMAN BROTHERS HOLDINGS, INC. TO
OCH-ZIFF CAPITAL MANAGEMENT GROUP LLC**

The issuance of a subpoena to Och-Ziff Capital Management Group LLC (“Och-Ziff”) does not constitute an accusation of wrongdoing by Och-Ziff but is part of an overall investigation by Lehman Brothers Holdings Inc. *et al.* (“Lehman”). Och-Ziff is prepared to cooperate and produce documents reasonably calculated to help Lehman in its investigation.

Dated: September 1, 2010

**KASOWITZ, BENSON, TORRES &
FRIEDMAN LLP**

By: /s/ Jennifer S. Recine
Marc E. Kasowitz
Michael J. Bowe
Albert S. Mishaan
Jennifer S. Recine
1633 Broadway
New York, New York 10019
(212) 506-1700

*Attorneys for Lehman Brothers
Holdings, Inc. et al.*

BLANK ROME LLP

By: /s/ Catherine A. Armentano
Kenneth L. Bressler
Andrew B. Eckstein
Catherine A. Armentano
The Chrysler Building
405 Lexington Avenue
New York, New York 10174
(212) 885-5000

*Attorneys for Och-Ziff Capital
Management Group LLC*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
In re : Chapter 11 Case No. 08-13555 (JMP)
: (Jointly Administered)
LEHMAN BROTHERS HOLDINGS, INC., *et al.*, :
: Debtors. :
: :
: :
: :
----- X

**STIPULATION CONCERNING SUBPOENA *DUCES TECUM*
ISSUED BY LEHMAN BROTHERS HOLDINGS, INC. TO
OCH-ZIFF CAPITAL MANAGEMENT GROUP LLC**

The issuance of a subpoena to Och-Ziff Capital Management Group LLC (“Och-Ziff”) does not constitute an accusation of wrongdoing by Och-Ziff but is part of an overall investigation by Lehman Brothers Holdings Inc. *et al.* (“Lehman”). Och-Ziff is prepared to cooperate and produce documents reasonably calculated to help Lehman in its investigation.

Dated: September 1, 2010

**KASOWITZ, BENSON, TORRES &
FRIEDMAN LLP**

BLANK ROME LLP

By: /s/ Jennifer S. Recine
Marc E. Kasowitz
Michael J. Bowe
Albert S. Mishaan
Jennifer S. Recine
1633 Broadway
New York, New York 10019
(212) 506-1700

By: /s/ Catherine A. Armentano
Kenneth L. Bressler
Andrew B. Eckstein
Catherine A. Armentano
The Chrysler Building
405 Lexington Avenue
New York, New York 10174
(212) 885-5000

*Attorneys for Lehman Brothers
Holdings, Inc. et al.*

*Attorneys for Och-Ziff Capital
Management Group LLC*